

## District Judge Daybook Entry

### United States District Court - Southern District of West Virginia at Beckley

Date: 5/22/2025 Case Number: 5:23-cr-00125  
 Case Style: USA vs. Gary Sawyers  
 Type of hearing: Criminal Jury Trial  
 Before the Honorable: 2517-Volk  
 Court Reporter: Catherine Schutte-Stant Courtroom Deputy: Tabitha Jarrell  
 Attorney(s) for the Plaintiff or Government:  
 Joshua Hanks, Brian Parsons  
 Attorney(s) for the Defendant(s):  
 David Bungard, Emily Szopinski  
 Law Clerk: Amanda Duvall  
 Probation Officer:

### Court Times

Start Time	End Time	Court Time Description
9:09 AM	9:32 AM	Court actively conducting trial proceedings/Contested proceedings
9:40 AM	10:15 AM	Court actively conducting trial proceedings/Contested proceedings
10:35 AM	12:00 PM	Court actively conducting trial proceedings/Contested proceedings
1:15 PM	1:30 PM	Court actively conducting trial proceedings/Contested proceedings
1:30 PM	1:55 PM	Hearings on motions during trial
1:55 PM	3:15 PM	Court actively conducting trial proceedings/Contested proceedings
3:35 PM	5:05 PM	Court actively conducting trial proceedings/Contested proceedings

Time in court: 5 hours and 28 minutes. Court actively conducting trial proceedings/Contested proceedings  
 Time in court: 0 hours and 25 minutes. Hearings on motions during trial

### Courtroom Notes

CRIMINAL TRIAL - DAY FOUR

Scheduled Start 0900  
 Actual Start Time 0905

AUSA Hanks and Parsons present  
 Defendant present in person and by counsel Bungard and Szopinski.

Jury present (13 jurors present)

Recalled Government Witness Juan Sanin Prieto to the stand from yesterday.  
 Cross Examination  
 Def Exhibit 37, 29, 10, 11, 12, 13, 14  
 Marked and admitted

Jury dismissed 0932

Court questions counsel

Court is in recess 0933  
 Court is again in session 0940

Cross examination continues

Def Exhibits 11,12,13,14  
Marked and admitted

Court is in recess 1015  
Court is again in session 1035

Cross examination continues  
Def Exhibits 46  
Marked and admitted  
Re-direct examination

Government calls Witness 13: Johnathan Rode  
Witness sworn by Courtroom Deputy  
Govt Exhibit 2  
Marked and Admitted

Court is in recess for lunch 1200  
Court is again in session 1315

Cross examination

Government concludes its case  
AUSA Hanks asks Court to take Judicial notice of two matters  
Court responds

Jury is excused 1330

Defense motion for dismissal under Rule 29  
Argument  
Court defers ruling  
Govt Exhibit 32, 32a, 33, 33a  
Marked and admitted

Jury returns 1355

Government rest its case in chief  
Court addresses jurors

Defense calls Witness 1: Christina Sawyers  
VIDEO DEPOSITION TESTIMONY  
Direct Examination  
Def Exhibit 45, 1, 2, 3, 4, 5  
Marked and admitted  
Cross Examination  
Re-direct examination

Jury excused 1425  
Court advice to defendant about testifying  
Defendant acknowledges and wishes to testify  
Jury returned 1427

Defense calls Witness 2: Gary Sawyers  
Witness sworn by Courtroom Deputy  
Direct Examination

Court is in recess 1515  
Court is again in session 1535

Court advises counsel that Juror #6 realized during testimony that he went to high school with the defendant but does not know him  
Counsel responds

Jury enters 1538

Continue direct examination  
Def Exhibit 24, 25, 26, 15, 16, 23  
Marked and admitted  
Cross examination

Court discusses stopping point for the day  
Court reinforced jury instructions for the holiday weekend  
Court will reconvene Tuesday at 0900

Court recessed for the day at 1705